K35A462

DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)

Title of Invention	DISK DRIVE EMPLOYING DATA AVERAGING TECHNIQUES DURING RETRY OPERATIONS TO FACILITATE DATA RECOVERY

As the below named inventor(s), I/we declare that:
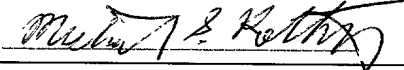
This declaration is directed to:

- [X] The attached application, or

- [ ] Application No. _____, filed on_____,

  - [ ] as amended on _____(if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/ we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.

All statements made herein of my/own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

FULL NAME OF INVENTOR(S)

Inventor one:	MICHAEL S. ROTHBERG
Signature:	_[signature]_ Citizen of: UNITED STATES
Inventor two:	
Signature:	Citizen of:
Inventor three:	
Signature:	Citizen of:
Inventor four:	
Signature:	Citizen of:

[ ] Additional inventors are being named on _____additional form(s) attached hereto.

Please type a plus sign (+) inside this box ➞ +

POWER OF ATTORNEY OR AUTHORIZATION OF AGENT

Application Number	UNKNOWN
Filing Date	HEREWITH
First Named Inventor	MICHAEL S. ROTHBERG
Group Art Unit	UNKNOWN
Examiner Name	UNKNOWN
Attorney Docket Number	K35A0462

I hereby appoint:

☑ Practitioners at Customer Number   26332 ➞   *Place Customer Number Bar Code Label here*

OR

☐ Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please change the correspondence address for the above-identified application to:

☐ The above-mentioned Customer Number.

OR

☐ Firm *or* Individual Name	
Address	
Address	
City	State	Zip
Country	
Telephone	Fax

I am the:

☑ Applicant/Inventor.

☐ Assignee of record of the entire interest. See 37 CFR 3.71.
   Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

SIGNATURE of Applicant or Assignee of Record

Name	MICHAEL S. ROTHBERG
Signature	*Michael S. Rothberg*
Date	2/14/02

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☑ *Total of ___1___ forms are submitted.